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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,)	
)	Case No.: 2:15-mj-00340-VCF
Plaintiff,)	
)	
vs.)	STIPULATION TO CONTINUE
)	PRELIMINARY HEARING (<i>Fifth Request</i>)
JASON ANTHONY LIEBOLD,)	
)	
Defendant.)	

IT IS HEREBY STIPULATED AND AGREED between the parties, Daniel G. Bogden, United States Attorney for the District of Nevada, and Jiamin Chen, Assistant United States Attorney, and Jonathan Powell, counsel for defendant JASON ANTHONY LIEBOLD, that the preliminary hearing date in the above-captioned matter, currently scheduled for December 22, 2015 at 4:00 pm, be vacated and continued to January 11, 2016, at a time to be set by this Honorable Court.

This stipulation is entered into for the following reasons:

1. The parties have agreed to and filed a plea agreement under which defendant LIEBOLD agrees to enter a pre-indictment guilty plea to a criminal information.
2. This matter has been assigned a criminal case number with an arraignment and plea hearing scheduled for 9:30 am on January 5, 2016 before Chief Judge Gloria Navarro.

3. This Court has advised that January 5, 2016 hearing must take place before the preliminary hearing.

4. The January 5, 2016 hearing will obviate the need for a preliminary hearing.

5. The parties agree to the continuance.

6. Additionally, denial of this request for continuance could result in a miscarriage of justice.

7. The additional time requested herein is not sought for purposes of delay, but to allow for the case be resolved via a pre-indictment plea.

8. The additional time requested by this stipulation, is allowed, with the defendant's consent under the Federal Rules of Procedure 5.1(d).

DANIEL G. BOGDEN
United States Attorney

Date: 12/21/2015

_____/s/_____
JIAMIN CHEN
Assistant United States Attorney

Date: 12/21/2015

/s/
JONATHAN POWELL
Counsel for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

JASON ANTHONY LIEBOLD,

Defendant.

Case No.: 2:15-mj-00340-VCF

FINDINGS OF FACT AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing
therefore, the Court finds that:

1. The parties have agreed to and filed a plea agreement under which defendant
LIEBOLD agrees to enter a pre-indictment guilty plea to a criminal information.

2. This matter has been assigned a criminal case number with an arraignment and
plea hearing scheduled for 9:30 am on January 5, 2016 before Chief Judge Gloria Navarro.

3. This Court has advised that January 5, 2016 hearing must take place before the
preliminary hearing.

4. The January 5, 2016 hearing will obviate the need for a preliminary hearing.

5. The parties agree to the continuance.

1 6. Additionally, denial of this request for continuance could result in a miscarriage
2 of justice.

3 7. The additional time requested herein is not sought for purposes of delay, but to
4 allow for the case be resolved via a pre-indictment plea.

5 8. The additional time requested by this stipulation, is allowed, with the defendant's
6 consent under the Federal Rules of Procedure 5.1(d).

7 9. This is the fifth request for a continuance of the preliminary hearing.

8 For all of the above-stated reasons, the ends of justice would best be served by a
9 continuance of the preliminary hearing date.

10 **CONCLUSIONS OF LAW**

11 The ends of justice served by granting said continuance outweigh the best
12 interest of the public and the defendant, since the failure to grant said continuance would be
13 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
14 opportunity within which to be able to effectively and thoroughly prepare for the preliminary
15 hearing, and possibly resolve the case prior to the preliminary hearing or an indictment, taking
16 into account the exercise of due diligence.

17 The continuance sought herein is allowed, with the defendant's consent, pursuant
18 to Federal Rules of Procedure 5.1(d).

ORDER

IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for December 22, 2015, at the hour of 4:00 pm, be vacated and continued to January 11, 2016 at the hour of 4:00 pm.

DATED 21st day of December, 2015.



THE HONORABLE CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE